SPEECH

OF

Gen. LOVELL H. ROUSSEAU

(OF KENTUCKY,)

DELIVERED AT THE

GREAT UNION MASS MEETING

HELD AT

Wilmington, Del., on the 3d of March, 1866,

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SPEECH

OF

GENERAL ROUSSEAU.

General Lovell H. Rousseau was introduced to the audience by the President of the meeting amidst long-continued applause. He said:

Fellow-Citizens: A stranger to you, I do not know even who called this meeting, nor have I much idea as to the former political opinions of those who compose it; but in looking over the Gazette from this place to-day, which was handed to me, I found it announced that a meeting was to be held here to-night to endorse the policy of Andrew Johnson. [Applause.] And I consider myself at home in any meeting that endorses the policy of Andrew Johnson, as it is now developed and understood, no matter where the meeting may be held nor who may compose it. I meet you here to-night, fellow-citizens, with much pleasure, and do not inquire to what political party you may have heretofore belonged, because we meet now upon common ground to endorse that man the policy of whose administration we hope will save the Government from destruction. [Applause.]

THE TYRANNY OF PARTY.

Party trammels are very strong—stronger among the American people than anywhere else on the globe. Party allegiance, during the war, has shown itself more powerful than has true loyalty to the Government. Men follow their

party leaders, and seldom ask where they are going. It was so with the Democratic party before and during the war, and in consequence of this it lost the power which it so long held and (like all other parties) so much abused. A large portion of it followed its leaders into the vortex of secession, whilst a still larger portion, more in opposition to the Republican party than anything else, took ground against much that was done in the prosecution of the war. And now when the Democratic party seem inclined to take their stand with the President, on what they term Constitutional ground—and, in fact, the very ground that he and the Republican party occupied during the war—we find extreme Republicans, obeying party trammels and party interests, running away from that position, and swearing they never held it. [Laughter and applause.] And the reason given for this is, that as the Copperheads were in favor of it, they must be against it. ["That's so," and applause.] Parties well drilled and organized instinctively avoid each other; and to-day men denounce that which they were in favor of yesterday. But you meet here to-night to endorse a man who, ignoring party lines and party discipline, stands bravely up for the Constitution of his country. [Applause.] He has not counted the cost, but has promptly and fearlessly taken the position, and will hold it to the end. [Applause.]

THE RESULT OF THE CONFLICT.

Now, fellow-citizens, the war is over, and the action of Congress naturally prompts the inquiry, What did we fight for, and what did we gain by it? For what purpose did we prosecute the war? I will answer you in the words in which every Union man in the United States would have answered you for the last five years: "To save the Union." And yet we are told to-day in the Halls of Congress that the Union is destroyed; that although we triumphed in the war, the Union is gone. Who tells you this? Why, the very men who for the last four years have done everything they

wished to do in the name of the Union, and who ran over and trampled under foot all opposition in the name of the Union.

And yet they tell us now that the Union which was staked on a successful issue of the war is gone.

Andrew Johnson says, no! and that it shall never go while he lives. [Great applause.] And you people must join him in this, and say, the Union never shall be dissolved. [Continued applause.] Politicians may tell you the Union is dissolved; but they cannot tell you the day, nor the hour, nor by what act it was dissolved. No man can point his finger to the time nor the act that dissolved it. And if they cannot tell you in what way nor at what time this occurred, how can they say it has occurred at all? We staked the Union on the result of the war, and won. We suppressed the rebellion and put down the force by which they sought to maintain and make good their ordinances of secession. These ordinances of secession being nullities, as all admit, they accomplished nothing in the effort to dissolve the Union. The rebels did not dissolve it by force of arms, for we put down the force, and so there is no pretext for the statement that these States are out of the Union. The politicians, for party purposes only, tell you that the Union is dissolved. But ask the people—the masses—those who paid the money to prosecute the war, and those who fought the battles for the Union—whether they lost that for which they fought. Ask the father who gave up his last son to fight the battles of his country! Ask the son who poured out his blood upon the battle-field! Ask the widow whose husband lies in a far-distant bloody grave, whether we lost what we fought for!

I wonder that these men do not hide their faces for shame when they tell the soldier and the sufferer in this war that all this was done in vain. Andrew Johnson believes that as we suppressed the rebellion we saved the Union, and that the nation at large, and loyal men especially, have a right to

demand of Congress the recognition of this fact, and thereby restore to the country peace, harmony and prosperity. But for this opinion he is grossly denounced and abused.

THE ASSAILANTS OF THE PRESIDENT.

And who are these leading assailants of the President? Who are they? They are men who care as little for the Union as Jefferson Davis—men who for the negro and in the name of the negro would see the Government go down in a moment. Men who for the sake of party ascendency insist that the Union is dissolved, and that eleven States no longer belong to it, except as military departments. One of them, Wendell Phillips, has repeatedly and exultantly proclaimed that for thirty years past he labored to destroy it. And he seems inclined to stop at nothing. It will not be forgotten that in one of the most critical periods of the war, Mr. Phillips publicly called on the Congress of the United States "to push the President from his stool." If he would demand this as to the lamented Lincoln, against whom he could not have cherished very bitter feelings, what would he not ask against President Johnson, whom he so hates!

Wm. Lloyd Garrison, in a late speech, alludes to Mr. Seward, whose patriotism is above all parties and all things else, as the fallen Lucifer, for continuing to support Mr. Lincoln's policy, and says it would have been far better for him had the miscreant and assassin Payne succeeded in the effort to take his life. And these men claim to be Christian men, whose hearts are filled with Christian virtues, especially charity.

Mr. Stevens insists that there are but twenty-six States now in the Union; that the insurrectionary States are no longer in it; that they are but military departments and to be governed as such, and doubtless it was on that ground that the Freedmen's Bureau bill was deemed constitutional and proper as a war measure, to be enforced not in States

but in Territories. Davis insisted on the right of secession; Sumner, Stevens, and Phillips insist substantially in the right of expulsion. The Union may be as effectually dissolved by the one as the other, and one is no less treasonable than the other.

THE LOYALTY OF TENNESSEE VINDICATED.

Davis would have dissolved the Union by war—by violence and bloodshed. The others would do it by the forms of law; by insidiously sapping the foundations of the Government, and in the name of the Union and the Constitution overturn and destroy both. Look at the action of these men and see if this is not true. Take the case of Tennessee. Long since her relations with the General Government were restored; she filled all the State offices the rebels had abandoned; she called a convention, remodeled her constitution, abolished slavery, as she was advised to do by the administration. She elected her Governor and Legislature under that Constitution, and afterwards she adopted the amendment to the Constitution of the United States abolishing slavery. She elected men to represent her in both Houses of Congress. She has paid all the taxes demanded of her by the General Government. All this has been voluntarily done by her loyal people. Every one of her United States Senators and Representatives are loyal and can take the "test oath." They have been legally elected, and by a loyal constituency. And yet the majority in Congress, under the lead of Messrs. Sumner and Stevens, utterly refuse to recognize Tennessee as a member of the Union. She may bear burdens and pay taxes imposed upon her by the Government; she may furnish soldiers to fight the battles of the nation; she gives us even a President of the United States; and yet as a State they insist she is out of the Union—*dead*—a Territory, a mere military department, and to be governed by Congress as such. She must be taxed, but not represented. Her po-

sition is far worse than that of a Territory, for Territories may be heard in Congress. Their delegates may sit and debate in Congress, though they cannot vote. But Tennessee is excluded entirely from your legislative halls. True, seats upon its floors are grudgingly given her members as silent spectators and a matter of courtesy, while Congress considers whether she is in or out of the Union. Three long months have passed away, and the Committee of Fifteen have, after *intense* labor, decided that her representatives and those of the rest of the insurrectionary States shall not be admitted until Congress shall say so. And yet by the Constitution each House of Congress, and not a joint Committee of Fifteen, composed of members of both Houses, is to judge of the qualifications of its own members, to admit or reject them, as they may decide. This is a practical recognition of secession. It is an acknowledgment, in fact, of the success of the rebellion and the dissolution of the Union; or it is an *expulsion* of Tennessee, as a punishment for the treason of a portion of her citizens.

Now, gentlemen, all this is without law, and against right. It is against the organic law of the land, and cruelly unjust to Tennessee. I know the people of that State. I know them well. I have lived among her people for more than two years, during the desolation and suffering brought upon them by this war. I knew them under circumstances which elicited their true traits of character. I saw among them old men, women and children, who had never known a want, turned out of house and home, stripped of their property, and left utterly destitute, and yet I seldom heard a murmur. They accepted it all as incident to the war, and were brave enough to suffer and be still. They are a brave, generous, and chivalric people, and any pledge they ever make is worthy of implicit trust and confidence, and they have in every form pledged adhesion to the Government.

THE PATRIOTISM AND LOYALTY OF THE PRESIDENT COMMENDED.

Yet this is the treatment they receive at the hands of these men. And *these* are the men who have made war upon Andy Johnson. These are the *captains* of the Northern secessionists or expulsionists—those who would destroy the Union for party purposes. Mr. Sumner, in the United States Senate, charged President Johnson with "whitewashing" traitors. Mr. Stevens, in the House, charged him with having committed enough usurpations to have caused the loss of the head of any English monarch within the last two hundred years. They are at the head of those who denounce Andrew Johnson as a *traitor!* Aye! a traitor! Andrew Johnson of Tennessee, a *traitor!* Who *is* Andrew Johnson? I'll tell you. He is a *man*—every inch a MAN! [Immense applause.] And he who intimates that an unpatriotic sentiment or thought ever had place in his heart is unworthy the liberty he enjoys, and for which Andrew Johnson has so long struggled and is struggling for still. [Long and continued applause.] Those who charge him with treason know little of what true loyalty is. And they know nothing of what Southern loyalty cost a Southern man. His love of country prompted Andrew Johnson to turn his back upon his home, his property and his friends, whilst those who denounce him as a traitor risked nothing, suffered nothing, lost nothing. And after all he has done and endured for his country, a pet party scheme, (the Freedman's Bureau bill,) unconstitutional, outrageous, and oppressive in all its features, was presented to him for his approval, which his conscience, his judgment, and his official oath required him to disapprove, and for such disapproval he is denounced as a traitor. It was but an effort to apply the party lash; but he would not submit to it. This is clear, when we recollect that the agents of the Freedman's Bureau under a law of Congress much like the bill vetoed, and which will not expire for a year, swarm through every Southern State to oppress and harass the people, and to incite a war between the white and black races. If the Freedman's Bureau is needed in the Southern States we have it there already, and must have it for a year to come, without any new enactment. But because he would not caress this party pet needlessly thrust upon him, he must be accused of treason, and scurrilously abused and denounced all over the land. And these men thus wantonly threw down the gauntlet to

the President. They deliberately attempted to rule him, to control him, or to break with him. They essayed to drive him, but they utterly mistook their man. [Applause.]

THE SUICIDAL POLICY OF THE RADICALS.

My opinion is, that many of those who so bitterly denounce the President on account of his veto of the "Bureau bill" are prompted by partisan feelings merely. I am sure they do not understand or appreciate the odious features of the bill itself. Indeed, I doubt whether one in an hundred has carefully read it; and because the "Copperheads" approve the veto, they think, of course, they should not. And Union men are constantly asked if they will go with the "Copperheads?" and they are a good deal horrified at the very thought. So it was in Kentucky at the beginning of the war. The pro-slavery feeling there then was fierce and proscriptive. That institution has since gone down, thank God, never to rise again. [Applause.] And we Union men were asked by the secessionists if we would join the abolitionists in what they called the subjugation of the South, (just about as hard a question as any man could answer in the affirmative, and say his life was his own,) but there were those who did answer, and we said, "Yes; if the devil himself will help us in this struggle, let him come, and we will take what help he can give." [Laughter and applause.] And now, to-day, when some of us say that this Freedmen's Bureau bill is unconstitutional, oppressive, and ought not to be passed, men tell us we are traitors, and ask us if we are going with the Democrats, the Copperheads, and the rebels. We say, no! we are going nowhere; and we tell those gentlemen to mind that they do not abandon their position because the Democrats happen to agree with them.

Andrew Johnson now occupies the position he has occupied throughout this long war, and if these men come to him is it right that we should leave him?

Indeed, I wish every man in the United States was in favor of his policy, and we should soon have such peace and quiet and prosperity as we have never seen before.

DISCUSSION OF THE FREEDMEN'S BUREAU BILL—ITS UNCONSTITUTIONALITY.

As a great deal is said about this Freedmen's Bureau bill, I wish to call your attention to it for a few moments;

for I do not think that one man in an hundred, who correctly understands it and appreciates the action of the agents under it, would favor its passage. The bill is confessedly unconstitutional, admitted and intended to be so.

It confers powers Congress has no right to give to any tribunal, much less to mere private individuals. It sweeps away and requires the agents to disregard the laws and constitutions of every State where it is put in force; and any individual or official who denies to a negro, on account of his color, any civil right possessed by the whites, is to be taken up by the agents of this Bureau, and fined or imprisoned, or both, in a sum not exceeding $1,000, and imprisonment not exceeding one year. And it gives power to these agents to try and determine all matters relating to the colored population, and places the army of the United States as a *posse* at their backs to enforce their judgments.

A negro who claims a debt of fifty dollars of a white man goes to the agent of this Bureau, makes complaint, and the agent tries and decides the claim *as a court.* Now, the judicial power of the United States, by the Federal Constitution, "shall be vested in the Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish." And the Constitution declares that "The judges of both the Supreme and inferior courts shall hold their offices during good behavior." And yet here judicial powers that Congress cannot confer even upon judges or courts are conferred upon irresponsible individuals—agents of this Bureau. In this the violation of the Constitution is so palpable, so flagrant, and so barefaced that no one can fail to see it, for these agents are empowered to hear and determine all matters pertaining to the colored population.

Matters of indebtedness, and all matters of tort done or supposed to be done to the negroes, such as assaults and batteries, slander, libel, &c., &c., may be so tried, and without a jury.

It is also declared by the Federal Constitution that "the trial of all crimes, except in cases of impeachment, shall be by jury," and "that no person shall be deprived of life, liberty or property, without due process of law; and that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury;" and that "in suits at common law, when the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved."

Now, all these provisions are openly and brazenly violated and held for naught by this bill; and no man can stand up before the people and deny the fact, for it cannot be disputed. And yet the President is denounced and traduced all over the country, because he would not violate his oath by approving this bill.

IT PLACES THE MILITARY SUPERIOR TO THE CIVIL POWER IN TIME OF PEACE—IN FACT, OVERRIDES ALL LAW.

And why complain of the President for not violating his oath? By the laws of the Southern States negroes may not be witnesses in certain cases, (which is wrong, in my judgment, but nevertheless it is the law,) but the right to be a witness is a civil right, and this bill confers that right upon the negro, and requires the agent of the Bureau to enfore it. And so the judge of a court, sworn to administer the laws of his State, who refuses to allow a negro to swear, in violation of the law, is to be arrested by this agent, and punished by fine and imprisonment. He may be taken off the bench in the progress of a trial, and leaving the jurors and suitors to take care of themselves, may be marched off with bayonets at his back—in the hands of negro soldiers, too—and tried and fined and imprisoned by the agent of this Bureau, who has, perhaps, scarcely sense enough to get out of the rain. [Laughter.] And that would be a nice spectacle for any respectable and law-abiding community to witness!

What respect would the community have for the judges and their authority when treated with this sort of indignity! And the Governor of a State, and every official, in fact, may be treated in the same way, so that if, in the opinion of any of these petty tyrants, these agents of the Bureau, the Governor of a State has violated the law of the Freedmen's Bureau so as to deserve imprisonment for a year, he may so order it, and thus deprive the State of its Executive. In fact, the State might lose all its officials in the same way, and then, according to the theory of the Sumner and Stevens school, such States would be out of the Union if not so before. Now, I ask of you, as free men and as fair men, who of you would favor the passage of so infamous a law as this?—a law which authorizes and requires such outrages as I have named to be committed. A few days ago, in the city of Louisville, Ky., some policemen were taken up and fined, and imprisoned, so the papers say, having arrested some

negroes under the orders of the city court, and one of those officers was amongst the very first soldiers in Kentucky who joined the United States army in the suppression of the rebellion. Such is the practical operation of the law as it now stands; what it would be under this new bill Heaven only knows!

And when an arrest is made by the agent of the Bureau, no power on earth can order a release, except the President of the United States, and however outrageous the arrest may be, the army stands at the agent's back to protect him and to enforce it. The courts, national and State, are powerless to interfere, and from the decision of the agent, no matter how much may be involved, or what he may decide as to the property or the liberty of the white people, an appeal lies nowhere, by the provisions of this bill. And though a court may try and determine a cause between a negro and a white person, the agent of the Bureau may retry, re-decide the case, and enforce his decision in defiance of the court, for the army is ever at his beck and call. So the Bureau has original and appellate jurisdiction of all matters and things, decided and undecided, in which a negro has an interest. A difficulty may occur between a negro and any member of your family, and the agent may fine and imprison if he will, and there is no remedy; and in the exercise of this unlimited jurisdiction, the discretion, the will of the agent, furnishes the law in every case, for there are no rules laid down for his guidance. With far more than sovereign power he is left to act as he pleases. And now, who dares stand up before the people and denounce Andrew Johnson as a traitor, for refusing to approve this infamous and accursed bill? Who would so degrade himself as to take upon him this infamy? In my humble judgment, if the President had not vetoed this bill, he would have deserved the execrations of all honest and liberty-loving people. And we may well fear for the liberties of the people when such a law as this can find approval in any of the departments of the Government.

I only wish that those who so fiercely assail the opponents of this bill were sent down to the Southern State to enforce it; in that case I would withdraw all opposition and leave them and their precious Bureau to take care of themselves. And apart from the fact that this bill is unconstitutional in its provisions and oppressive in its operations, it would bring ruin to that race in whose name and for whose benefit

all these outrages would be committed. It would naturally and inevitably induce a war between the white and black races, for no community of Americans anywhere would submit to such outrages and oppressions as I have named, and it would be a shame and a disgrace to that Government for which we have done and suffered so much; in fact, a Government that does not and will not protect those who give allegiance to it is not fit to live under, and ought to be destroyed, and go down at once. [Applause.]

ITS COST INCALCULABLE.

So far I have not alluded to the cost of administering this law. The President said in his veto message, that under the old law the Bureau had cost the Government over $11,000,000 per year. In addition to the expenditures allowed in that bill, the bill vetoed authorizes the agents to purchase farms, to build houses, hamlets, and towns, to build school-houses for the negroes, to furnish them with teachers, to supply them with provisions, with medicines, and with doctors, all at the expense of the people already so burdened with taxes. One hundred, two hundred millions of dollars might be so expended, as there is no limit save what the agents of the Bureau may deem necessary and proper. And so the negro was to be set free because he was a man, and to be taken care of, fed and clothed, because he is no man. [Laughter.]

Now, our country is filled with maimed, disabled and scarred veterans, who suppressed this rebellion, and with the helpless widows and orphans of those who fell in the effort. Helpless and destitute soldiers with one leg hobble and crawl over the country picking up a precarious subsistence, and yet those Pharisees who would expend untold millions to take care of the black race never cast a thought upon those living braves, or the helpless widows and orphans the dead ones have left behind them, [Great Sensation.]

So much for this Freedmen's Bureau bill. From my heart I thank Andrew Johnson, as my people do, for standing between us and the mischief this bill would bring upon us.

THE POLICY OF PRESIDENT JOHNSON IDENTICAL WITH THAT OF THE LAMENTED LINCOLN.

Andrew Johnson contends that the Southern people ought to have a voice in Congress, and I think so too. [Applause.]

He is of the opinion that every loyal man, legally elected in the insurrectionary State, should be at once admitted on the floors of Congress. During the war that was the theory of Mr. Lincoln, and now that the war is over his successor should not abandon it.

In his Emancipation Proclamation of September 22, 1862, which is framed and held sacred all over the country, Mr. Lincoln said:

"The Executive will, on the first day of January, 1863, designate the States and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein the majority of qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not in rebellion against the United Siates."

Now, this is the language of Mr. Lincoln, and who will say that he considered the rebel States out of the Union? He speaks of them as States in the Union, but as States in rebellion, and he says that their having Representatives in Congress, elected by a majority of the people, shall be conclusive evidence not that the States are in the Union, not that they have the right to be admitted into the Union, but that they are no longer in rebellion against the Government.

And so with Representatives thus elected, it being conclusive evidence that the rebellion was at an end in such a State, in Mr. Lincoln's opinion, all the relations between the United States and that State would have been restored. Mr. Lincoln never alluded to those States as either dead or out of the Union, but as States in the Union, and *alive*. That *was* the Lincoln–Johnson policy. It *is* to-day the policy of Andrew Johnson. That was also the policy of the Sumner–Stevens school at the time that proclamation was published, and long after all the ordinances of secession were adopted and the war had lasted a year and a half. If those States were in the Union then and alive, what have they done since, and what has anybody done since, or what has occurred to kill them or to take them out of the Union? I will tell you the whole thing in a word: those States

must be held as dead or out of the Union that political power and the offices of the country may be in the hands of the leaders of the Republican party. That is the secret of this whole effort to dissolve the Union and to overturn the Government. These men have abandoned the Lincoln-Johnson policy, and now abuse the President because he does not do the same thing.

APPEAL IN FAVOR OF THIS POLICY.

My countrymen, I do not speak to you to-night as a partisan. It is true that I have given the Republican party a hearty support during the prosecution of the war. I went it blind and asked no questions, and looked with suspicion upon any man who talked of constitutional rights. The Republican party, having saved the Government, had a glorious future before it; but the war being gloriously and triumphantly ended, the leaders of that party turn to destroy what that party said our armies had saved. I do not come here to abuse the Republican party or any party. Though no Republican, I have never been, nor am not now, a Democrat, and the Democratic party must greatly change before I can be one. I claim to be an humble supporter of the policy of Andrew Johnson; and I stand side by side with all who in good faith support that policy, as I believe that the only hope for the country is in the success of that man and his policy. I ask you to give him a generous and manly support. Be true to him as he has been, and will be true to the cause of the country. You will find him firm and immovable in the right, and my word for it he will never be coaxed or driven from the course he has marked out, whatever may happen. [Applause.] I have an abiding confidence in the people, who are now involved in a political revolution, and trust to their patriotism and integrity to carry them safely through, for they have as a leader that tried and true man, ANDREW JOHNSON. [Applause.]